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September 8, 2014

GAMCO Investors, Inc. et al. v. Vivendi, S.A.  
13-1194(L), 13-1377(XAP)

Dear Ms. Wolfe:

I am counsel of record for appellee-cross appellant Vivendi, S.A. ("Vivendi") in the above captioned case. I write in response to a request from the case manager to provide the Court with a periodic update on the status of this appeal, which has been stayed by an order of this Court dated April 23, 2013. Order, No. 13-1194 (2d Cir. Apr. 23, 2013), ECF No. 52. By the terms of the Court's extant order, this appeal will remain stayed until a judgment is entered and an appeal is filed in a related case, In re Vivendi Universal, S.A. Securities Litigation, No. 02-cv-5571 (S.D.N.Y.), so that the briefing and argument in the appeals can be coordinated. This stay is similar to the stay ordered by the Court in Liberty Media Corporation v. Vivendi Universal, Nos. 13-596(L), 13-739(Con). See Order, No. 13-596 (2d Cir. Apr. 4, 2013), ECF No. 94.

A judgment has not yet been entered in the related case. The claims process is moving forward in that case: All final claim submissions were due on August 7, 2013, and the parties are working with the district court and claims administrator to review and process claims in an orderly and efficient fashion. Vivendi does not anticipate significant delay in those proceedings and is working diligently toward securing the prompt entry of an appealable judgment. The existing stay should remain in place in this appeal until a judgment is entered in the related case and a notice of appeal has been filed.

Please do not hesitate to contact me should the Court desire further information.

Respectfully,

/s/ Timothy G. Cameron

Timothy G. Cameron

Catherine O'Hagan Wolfe  
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VIA ECF